REMARKS

The Office Action of March 17, 2009, has been carefully considered.

Claims 6 and 10 have been rejected under 35 USC 112, second paragraph, on the basis that the term "bag-like" is indefinite. Claims 6 and 10 have now been amended to change "bag-like" to "bag," the definition of which is submitted by Applicants to be well known and definite in structure. Withdrawal of this rejection is requested.

Claims 1 and 3-6 have been rejected under 35 USC 103(a) over Fukunishi, while Claims 2 and 7-10 have been rejected under 35 USC 103(a) over Fukunishi in view of Corner et al.

Applicant note initially that the Fukunishi reference is a published Japanese patent application cited as of its publication date, February 24, 2005. Corner et al is a U.S. published patent application cited as of its filing date, October 19, 2004. Both of these dates are subsequent to the priority date of the present patent application, March 31, 2004.

In order to perfect the priority of the present application, Applicants submit herewith a verified translation of the priority application, JP 2004-107407. It is evident from this translation that all claims of the present patent application are supported by the text of JP 2004-107407, and are therefore entitled to a date of March 31, 2004.

Hence, neither of the cited references is prior art to the claimed invention, and Applicants submit that the rejections should be withdrawn on this basis.

With regard to the merits of the rejection, Applicants note that while the claimed invention is directed to polyester fabrics, the Fukunishi reference is directed to polyamide fabrics; see paragraph [0011]. The reference is not directed

to polyester fabrics, and the properties of polyester fabrics and polyamide fabrics are completely different.

Fukunishi discloses that polyamide textiles are excellent in strength, toughness, abrasion strength and dimensional stability, and are suitable for sport garment uses, for example, sleeping bags, tents, paragliders, parachutes and outdoor wear; see paragraph [0011].

On the other hand, fabrics made of extra-fine polyester multifilaments are known to be insufficient in tear strength and therefore do not have performance characteristics which make the fabrics suitable for use in various fields of application; this is discussed on page 2 of the present specification.

Since polyamide is known for strength where polyester is not, it is especially unobvious that one can obtain a polyester fabric using an extra-fine polyester multilfilament with good strength properties enabling the fabric to be used as an umbrella cloth and warmth retaining material. Because the properties of polyamide fabrics are so different from polyester fabrics, it would not have been obvious to one of ordinary skill that a substitution of polyester for polyamide in fabrics would provide satisfactory properties.

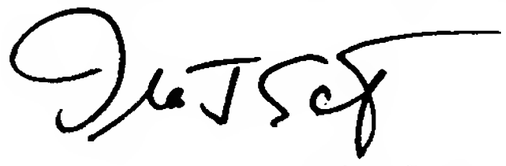
The Office action states that Fukunishi discloses a rip stop weave wherein secondary yarn is employed to satisfy lightness and tear strength. However, the weave disclosed by Fukunishi is obtained by controlling weave design as disclosed in paragraph [0031] of the corresponding English publication US 2006/0183390. That paragraph states "[h]owever, weave wherein one yarn having a larger linear density than that of yarn of a plain weave portion is inserted thereinto so as to constitute patterned squares is defined as one kind of rip stop weave in the invention." There is no disclosure about the fineness of the inserted yarn, and according to the

claimed invention, the weave is obtained by using the other kind of yarn, the B yarn, of a defined fineness, different from the A yarn.

Withdrawal of these rejections is requested.

In view of the foregoing amendments and remarks, Applicants submit that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

Respectfully submitted,



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